UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 TINA NGUYEN CRUZ, on behalf of herself and others similarly situated, 4 Plaintiff, 5 ٧. 6 KATE SPADE & COMPANY, LLC, Defendant. (SECOND REQUEST) 8 Compl. Filed: Trial Date: 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Case No. 2:19-cv-00952-APG-BNW

JOINT STATUS REPORT AND STIPULATION TO STAY DISCOVERY FOR FIFTEEN DAYS OR UNTIL A RULING ON KATE SPADE'S MOTION TO DISMISS HAS BEEN ENTERED, WHICHEVER OCCURS SOONER

June 5, 2019 None Set

SMRH:4817-6507-7429.1

JOINT STIPULATION TO STAY DISCOVERY

JOINT STATUS REPORT AND STIPULATION

Plaintiff Tina Nguyen Cruz ("Plaintiff") and Defendant Tapestry, Inc. (erroneously sued as Kate Spade & Company, LLC) ("Kate Spade"), through their respective counsel, hereby stipulate as follows:

- 1. Good cause exists to stay the Federal Rule of Civil Procedure 26(f) conference of counsel and all subsequent discovery for a further fifteen (15) days or until a ruling on Kate Spade's Motion to Dismiss and to Strike ("Motion to Dismiss") has been entered, whichever occurs sooner.
- 2. Plaintiff's Class Action Complaint ("Complaint") was filed on June 5, 2019 (Dkt. No. 1).
- 3. Kate Spade filed its Motion to Dismiss on September 16, 2019 (Dkt. No. 11), Plaintiff filed her Opposition on September 30, 2019 (Dkt. No. 14), and Kate Spade filed its Reply in support of its Motion to Dismiss on October 7, 2019 (Dkt. No. 17).
- 4. On December 19, 2019, the parties stipulated to a stay of the Federal Rule of Civil Procedure 26(f) conference of counsel and all subsequent discovery for sixty (60) days or pending a ruling on Kate Spade's Motion to Dismiss, which ever occurred sooner (Dkt. No. 28).
- 5. On December 23, 2019, the Court granted the parties' stipulation and ordered that the parties file a joint status report by February 24, 2020 (Dkt. No. 30).
- 6. On February 6, 2020, the parties met and conferred regarding the propriety of extending the stay, and agreed that if the Court did not rule on Kate Spade's Motion to Dismiss prior to the expiration of the stay, a further fifteen (15) day extension of the stay was warranted.
 - 7. The Court has still not ruled on Kate Spade's Motion to Dismiss.
- 8. Accordingly, the parties jointly request that the Court stay the Federal Rule of Civil Procedure Rule 26(f) conference of counsel and all subsequent discovery for a further fifteen (15) days or until a ruling on Kate Spade's Motion to Dismiss has been entered, whichever occurs sooner.
- 9. The parties will meet and confer five (5) business days prior to the expiration of this proposed stay regarding the substance of Defendant's proposed Motion to Stay Discovery, as

1	required by the Local Rules.	
2	10. This request is made in good faith	and the proposed stay will not cause prejudice to
3	either party. This is the parties' second request to	o stay discovery.
4	11. The parties reserve all rights i	regarding the propriety, scope, and timing of
5	discovery upon expiration of this proposed stay.	
6	IT IS SO STIPULATED AND REQUE	STED, THROUGH THE BELOW COUNSEL
7	OF RECORD:	
8	Dated: February 24, 2020	Dated February 24, 2020
9	//W.ka.D.C	/-/ Mil-a N. Claule
10	OLSON, CANNON, GORMLEY, ANGULO	/s/ Miles N. Clark KNEPPER & CLARK LLC
11	& STROBERSKI Walter R. Cannon (Nev. Bar No. 001505)	Matthew I. Knepper (Nev. Bar No. 12796) Miles N. Clark (Nev. Bar No. 13848)
12	9450 West Cheyenne Avenue Las Vegas, Nevada 89129	5510 S. Fort Apache Rd., Suite 300 Las Vegas, NV 89148-7700
13		D
14	By: Attorneys for Tapestry, Inc.	By: Attorneys for Tina Nguyen Cruz
15	Dated: February 24, 2020	Dated February 24, 2020
16	/s/ Bridget J. Russell SHEPPARD, MULLIN, RICHTER &	FINKELSTEIN THOMPSON LLP
17	HAMILTON LLP P. Craig Cardon	Gordon M. Fauth, Jr. (Cal. Bar No. 190280, admitted <i>pro hac vice</i>)
18	(Cal. Bar. 168646, admitted <i>pro hac vice</i>) Dylan J. Price (Cal. Bar No. 258896)	Hope E. Ranoa (Cal. Bar No. 298366) 15 Shattuck Square, Suite 245
19	Bridget J. Russell (Cal. Bar. No. 288107) 1901 Avenue of the Stars, Suite 1600	Berkeley, CA 94704
20	Los Angeles, California 90067-6055	FINKELSTEIN THOMPSON LLP
21	By:	Mila Bartos (DC Bar No. 464227) Rosalee B.C. Thomas (DC Bar No. 492770)
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26		By: Attorneys for Tina Nguyen Cruz
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1	IT IS ORDERED that ECF No. 32 is GRANTED. , IT IS FURTHER ORDERED that the parties must file a joint proposed discovery
2	plan and scheduling order by March 27, 2020 unless the case is dismissed in its entirety before March 27, 2020.
4	IT IS SO ORDERED
5 6	DATED: February 25, 2020
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8	Derbweken
9	BRENDA WEKSLER
10	UNITED STATES MAGISTRATE JUDGE
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